

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RE:)	
)	Bankruptcy No. 17-70045-JAD
)	
MICHAEL DAVID SCOTT,)	Chapter 7
Debtor.)	
)	
)	
	X	
MICHAEL DAVID SCOTT,)	
)	
Movant,)	Related to Dkt. Nos. 486, 536, and
)	537
)	
-vs-)	
)	
COLLORA, LLP, WILLIAM J.)	
LOVETT (as managing partner),)	
And SARA SILVA (as partner),)	
)	
Respondents.)	
	X	

**ORDER REGARDING DEBTOR'S (A) MOTION TO CONDUCT RULE 2004
EXAMINATION IN WRITING AND (B) MOTION PURSUANT TO FEDERAL
RULES OF BANKRUPTCY PROCEDURE 2004(a) FOR EVIDENCE TO
SUPPORT [ALLEGED] BREACH OF CONTRACT CLAIM**

On March 22, 2018, the Court conducted a hearing on the above referenced motions (the "Rule 2004 Requests"). It appears that the respondents have tendered to the Debtor, again, copies of his files that were in the possession of the respondents (except there was uncertainty as to whether the law firm's invoices were produced to the Debtor).

In light of the document production, and in light of the fact that the alleged claims or causes of action the Debtor complains of remain property of the Chapter 7 Trustee, the Court hereby ORDERS, ADJUDGES and DECREES that the motions are granted, in part, as follows:

1. To the extent they have not been produced, the respondents shall produce to the Debtor copies of the invoices for the services rendered on the Debtor's behalf.
2. Given the production of documents, the Court determines that further 2004 examination by the Debtor of the respondents is unnecessary. This Court's conclusion is particularly acute since (a) the Debtor has first-hand knowledge of the respondents' legal representation of him, and (b) the Debtor may provide the Chapter 7 Trustee with a declaration (under penalty of perjury) of all the facts and circumstances known by the Debtor supporting any cause of action that may exist against the respondents.
3. The Debtor shall make all documents produced by the respondents available for inspection and copying by the Chapter 7 Trustee (or his legal counsel). To the extent any documents are withheld by the Debtor based on privilege, the Debtor shall provide a privilege log identifying the withheld document, how many pages of the document are withheld, and the legal basis for the claim of privilege.

Except as otherwise provided herein, the remaining relief sought by the motions are denied without prejudice. Nothing contained herein should be deemed or construed to be a ruling (either positively or negatively) that any causes of action exist as to the respondents; nor shall it be a ruling as to any defense asserted by the respondents.



Date: March 22, 2018

The Honorable Jeffery A. Deller
Chief U.S. Bankruptcy Judge

FILED
3/22/18 2:06 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

cc: Case Administrator to Serve:

Michael David Scott
Chapter 7 Trustee

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Michael David Scott
DebtorCase No. 17-70045-JAD
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: bsil
Form ID: pdf900Page 1 of 2
Total Noticed: 1

Date Rcvd: Mar 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2018.

db +Michael David Scott, 772 Saint Joseph St., c/o FCI Loretto, Loretto, PA 15940-7006

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 24, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 22, 2018 at the address(es) listed below:

Brett L. Messinger on behalf of Defendant US Bank National Association as Trustee
blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Creditor US Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp. Mortgage Backed Pass Through Certificates Series 2004-AR-7 and Ocwen Loan Servicing, LLC blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Defendant Ocwen Loan Servicing LLC
blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Defendant U S Bank National Associates as Trustee For Credit Suisse First Boston Mortgage Securities Corp blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Defendant U.S. Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp. Mortgage Pass Through Series 2004-AR7 blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Plaintiff U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP., MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2004-AR7 blmessinger@duanemorris.com, LMTryon@duanemorris.com

Brett L. Messinger on behalf of Creditor U.S. Bank, National Association as Trustee Under the Pooling and Servicing Agreement Dated as of May 1, 2006, GSAMP Trust 2006-HE3 Mortgage Pass-Through Certificates Series 2006-HE3 and Ocwen Loan Ser blmessinger@duanemorris.com, LMTryon@duanemorris.com

Denver E. Wharton on behalf of Creditor Khanda, LLC dew@ktwllaw.com, r42123@notify.bestcase.com

Heather A. Sprague on Behalf of the United States Trustee by on behalf of U.S. Trustee Office of the United States Trustee Heather.Sprague@usdoj.gov

James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com

James A. Prostko on behalf of Creditor U.S. Bank, National Association, as Trustee, et al... pawb@fedphe.com, james.prostko@phelanhallinan.com

James A. Prostko on behalf of Creditor The Bank Of New York Mellon Trust Company, N.A., et. al. pawb@fedphe.com, james.prostko@phelanhallinan.com

James A. Prostko on behalf of Attorney James A. Prostko pawb@fedphe.com, james.prostko@phelanhallinan.com

James D. Newell on behalf of Interested Party Collora LLP, William Lovett, William Kettlewell, Sara Silva james.newell@bipc.com, donna.curcio@bipc.com

James R. Walsh jwalsh@spencecuster.com, trustee@spencecuster.com; kpetak@spencecuster.com; rsnnyder@spencecuster.com; skosis@spencecuster.com; mskunta@spencecuster.com; jwalsh@ecf.epiqsystems.com; gbivens@spencecuster.com

James R. Walsh on behalf of Trustee James R. Walsh jwalsh@spencecuster.com, trustee@spencecuster.com; kpetak@spencecuster.com; rsnnyder@spencecuster.com; skosis@spencecuster.com; mskunta@spencecuster.com; jwalsh@ecf.epiqsystems.com; gbivens@spencecuster.com

Jeremy J. Kobeski on behalf of Creditor The Bank Of New York Mellon Trust Company, N.A., et. al. pawb@fedphe.com

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Page 2 of 2
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Jill Locnikar on behalf of Creditor United states of america jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;deborah.verrilla@usdoj.gov;caseview.ecf@usdoj.gov
Jill Locnikar on behalf of Defendant United States Department of Justice, et al.
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Jonathan W. Chatham on behalf of Creditor PA Dept of Revenue RA-occbankruptcy7@pa.gov
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ams@ktwllaw.com;r42123@notify.bestcase.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronald E. Reitz on behalf of Creditor ROSE AKE rreitz@margolisedelstein.com
Ronald E. Reitz on behalf of Plaintiff BONABERI CORPORATION rreitz@margolisedelstein.com
Ronald E. Reitz on behalf of Creditor BONABERI CORPORATION rreitz@margolisedelstein.com
Ronald E. Reitz on behalf of Plaintiff ROSE AKE rreitz@margolisedelstein.com
Stephen G. Murphy on behalf of Defendant The Commonwealth of Massachusetts
murphys@dor.state.ma.us
Stephen G. Murphy on behalf of Creditor Massachusetts Department of Revenue
murphys@dor.state.ma.us
Stephen G. Murphy on behalf of Defendant Commonwealth of Massachusetts murphys@dor.state.ma.us
William E. Miller on behalf of Defendant US Bank National Association as Trustee
wmiller@sterneisenberg.com, bkecf@sterneisenberg.com
William E. Miller on behalf of Creditor U.S. Bank, National Association As Trustee For et al.
wmiller@sterneisenberg.com, bkecf@sterneisenberg.com
William E. Miller on behalf of Creditor U.S. Bank, National Association as Trustee Under the
Pooling and Servicing Agreement Dated as of May 1, 2006, GSAMP Trust 2006-HE3 Mortgage
Pass-Trough Certificates Series 2006-HE3 C/O Phelan Hallinan wmiller@sterneisenberg.com,
bkecf@sterneisenberg.com

TOTAL: 40